

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	William R. HANCOCK	Group Art Unit:	2628
Serial No.:	10/717,726	Examiner:	RICHER, Aaron M.
Filed:	November 20, 2003	Confirmation No.:	8710

For: BACKGROUND RENDERING OF IMAGES

Docket No.: H0005279
Customer No.: 000128

PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 C.F.R. §1.181

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby petition to withdraw the holding of abandonment under 37 C.F.R. §1.181.

Applicants did not receive the Office Action dated January 23, 2007. Applicants only became aware of the Office Action when the Examiner telephoned the undersigned after the application had been declared abandoned. Applicants respectfully request that the Patent Office remail the Office Action.

Applicants postulate that the Office Action was sent to the previous correspondence address, which is the address of the former patent counsel to the Applicants. The Office Action lists the previous correspondence address on its face, and the PAIR system still lists the previous correspondence address as the address of record. A copy of the first page of the Office Action and a copy of the PAIR page are included as attachment A.

Applicants filed change of correspondence address for this application on November 10, 2006. Attachment B includes a copy of the transmittal, change of address, and reply facsimile confirming receipt of the change of address.

It appears that the Patent Office received the change of correspondence address, but did not actually change the correspondence address. A copy of the PAIR page showing receipt of the change of correspondence address is attached as attachment C. Thus, sending the Office Action to the previous correspondence address was in error.

Applicants attest that a search of the file jacket and docket records indicate that the Office Action was not received by the undersigned or the Applicants. A copy of the docket record where the Office Action would have been entered is included in attachment D.

The Notice of Abandonment was mailed on August 3, 2007. As such, Applicants submit that this petition is timely.

Conclusion

In view of the foregoing, Applicants request that the holding of abandonment in the above-identified application be withdrawn.

Respectfully submitted,

Dated: August 27, 2007

By: /CHAD C. ANDERSON, REG. NO. 44505/
Chad C. Anderson
(480) 385-5060

Ingrassia Fisher & Lorenz
Customer No. 29906

Attachment A



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/717,726 11/20/2003 William R. Hancock H0005279 8710

21186 7590 01/23/2007
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. BOX 2938
MINNEAPOLIS, MN 55402

EXAMINER

RICHER, AARON M

ART UNIT

PAPER NUMBER

2628

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

01/23/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

10/717,726 Background rendering of images

08-24-
2007::16:32:26

Attorney/Agent Correspondence Information

Correspondence Address

Name: SCHWEGMAN, LUNDBERG & WOESSNER, P.A.

Address: P.O. BOX 2938
MINNEAPOLIS MN 55402

Attorney/Agent Information

No Attorney/Agent Data Found.

[Close Window](#)

Attachment B

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 4803855061

Fax Information

Date Received:

11/10/2006 4:56:00 PM [Eastern Standard Time]

Total Pages:

2 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMPEP) section 306 et seq.

Received
Cover
Page
=====>

Nov. 10. 2006 2:44 PM INGRASSIA FISHER & LORENZ PC No. 4710 P. 1

INGRASSIA FISHER & LORENZ, P.C.

7150 E. CAMELBACK, SUITE 325

SCOTTSDALE, ARIZONA 85251

Telephone: (480) 385-5060

Facsimile: (480) 385-5061

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
	Chad C. Anderson, Reg. No. 44,505
COMPANY:	DATE:
USPTO	NOVEMBER 10, 2006
FACSIMILE NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
571-273-8300	2
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
	E0005279
RE:	RECIPIENT'S REFERENCE NUMBER:
Change of Correspondence	10/717,726

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

FORMAL COMMUNICATION INTENDED FOR ENTRY

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAWS. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THIS MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA U.S. POSTAL SERVICE. THANK YOU.

* * * Transmission Result Report (MemoryTX) (Nov. 10. 2006 2:44PM) * * *

1) INGRASSIA FISHER & LORENZ PC
2)

Date/Time: Nov. 10. 2006 2:44PM

File No. Mode	Destination	Pg(s)	Result	Page Not Sent
4710 Memory TX	915712738300	P. 2	OK	

Reason for error
E. 1) Hang up or line fail
E. 3) No answer

E. 2) Busy
E. 4) No facsimile connection

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FACSIMILE TRANSMITTAL SHEET

TO:	FROM: Chad C. Anderson, Reg. No. 44,505
COMPANY: USPTO	DATE: NOVEMBER 10, 2006
FACSIMILE NUMBER: 571-273-8300	TOTAL NO. OF PAGES INCLUDING COVER: 2
PHONE NUMBER:	SENDER'S REFERENCE NUMBER: H0005279
RE: Change of Correspondence	RECIPIENT'S REFERENCE NUMBER: 10/717,726

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7150 E. CAMELBACK, SUITE 325

SCOTTSDALE, ARIZONA 85251

Telephone: (480) 385-5060

Facsimile: (480) 385-5061

FACSIMILE TRANSMITTAL SHEET

TO:	FROM: Chad C. Anderson, Reg. No. 44,505
COMPANY: USPTO	DATE: NOVEMBER 10, 2006
FACSIMILE NUMBER: 571-273-8300	TOTAL NO. OF PAGES INCLUDING COVER: 2
PHONE NUMBER:	SENDER'S REFERENCE NUMBER: H0005279
RE: Change of Correspondence	RECIPIENTS REFERENCE NUMBER: 10/717,726

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THANK YOU.

CHANGE OF CORRESPONDENCE ADDRESS Application

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	11/717,726
Filing Date	November 20, 2003
First Named Inventor	William R. Hancock
Art Unit	2676
Examiner Name	
Attorney Docket Number	H0005279

Please change the Correspondence Address for the above-identified patent application to:

☒ The address associated with
Customer Number:

000128

OR

☐ Firm or
Individual Name

Address

City

State

Zip

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Email

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:

- ☐ Applicant/Inventor
- ☐ Assignee of record of the entire interest.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- ☒ Attorney or agent of record. Registration Number 33,911
- ☐ Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number _____

Signature

Miriam Jackson

Typed or Printed
Name

Miriam Jackson

Date

11/9/06

Telephone

(602) 436-2909

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.



*Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Attachment C

10/717,726 Background rendering of images

08-27-
2007::16:05:13**Transaction History**

Date	Transaction Description
08-03-2007	Mail Abandonment for Failure to Respond to Office Action
08-02-2007	Abandonment for Failure to Respond to Office Action
01-23-2007	Mail Final Rejection (PTOL - 326)
01-21-2007	Final Rejection
11-20-2006	Correspondence Address Change
11-18-2006	Date Forwarded to Examiner
11-09-2006	Response after Non-Final Action
11-17-2006	Correspondence Address Change
10-26-2006	Petition Decision - Granted
10-24-2006	Correspondence Address Change
10-25-2006	Change in Power of Attorney (May Include Associate POA)
08-28-2006	Petition Entered
08-09-2006	Mail Non-Final Rejection
08-07-2006	Non-Final Rejection
06-20-2006	Date Forwarded to Examiner
06-20-2006	Date Forwarded to Examiner
06-15-2006	Request for Continued Examination (RCE)
06-20-2006	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)
06-15-2006	Workflow - Request for RCE - Begin
05-30-2006	Mail Advisory Action (PTOL - 303)
05-26-2006	Advisory Action (PTOL-303)
05-21-2006	Date Forwarded to Examiner
05-15-2006	Amendment after Final Rejection
03-21-2006	Case Docketed to Examiner in GAU
03-10-2006	Mail Final Rejection (PTOL - 326)
03-09-2006	Final Rejection
01-12-2006	Date Forwarded to Examiner
01-06-2006	Response after Non-Final Action
10-04-2005	Mail Non-Final Rejection
09-30-2005	Non-Final Rejection
06-09-2005	Case Docketed to Examiner in GAU
04-29-2005	Case Docketed to Examiner in GAU
04-06-2005	Case Docketed to Examiner in GAU
03-19-2005	IFW TSS Processing by Tech Center Complete
03-19-2005	Case Docketed to Examiner in GAU
03-15-2004	Corrected filing receipt
03-07-2005	Correspondence Address Change
05-03-2004	Transfer Inquiry to GAU
03-05-2004	Application Return from OIPE
02-17-2004	Application Return TO OIPE
02-17-2004	Application Dispatched from OIPE
02-17-2004	Application Is Now Complete

02-04-2004	Cleared by OIPE CSR
12-25-2003	IFW Scan & PACR Auto Security Review
11-20-2003	Initial Exam Team nn

Close Window

Attachment D

IPMaster (v1.7.1) - [Patent 1 of 1]

File Edit Records Utilities Tools Help

Docket Number	H0005279	Attorney	KURT LUTHER
Country	United States	Agent	INGRASSIA FISHER & LORENZ
Case Type	Regular	Charge SBE	CI - Displays Media Technology
Relation Type	Original Filing	Current Owner	HONEYWELL INTERNATIONAL
Filing Type	National	Source SBU	PHOENIX-BRGA
Filing Number		File Location	Ingrassia, Fisher & Lorenz

BACKGROUND RENDERING OF IMAGES

Other Nos Filing Data	Related Id Related Party Info	Title Storage	Text Actions	Reel/Frame Abstract	Patent Product Match Expenses	Authorized Vendors Inventors	Licenses
Action		Action Due Date	Completed Date	Responsible Atty #1	Action Notes		
▶			11/20/2003				
REQ			3/12/2004		FOR CORR FR.		
Request for continued examination			6/12/2006				
LETTER SENT			11/10/2006		EMAIL FROM M		
Info Disc. Statement		2/20/2004	6/6/2006		A text message had		
Review For Foreign Filing		8/20/2004	4/17/2003		NO FF		
Published		5/20/2005					
Amendment		1/4/2006	1/4/2006		AMENDMENT		
Notice of Appeal Due		6/10/2006	6/12/2006		RCE FILED		
Amendment		11/9/2006	11/8/2006		EMAIL FROM M		
*							

Created: 12/8/2003 Updated: 11/17/2006 3:48:58 PM By: Leo

start